

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EMERY SLAYDEN,)	
)	
Petitioner,)	2:06-cv-0664-PMP-RJJ
)	
vs.)	ORDER
)	
E.K. McDANIEL, <i>et al.</i> ,)	
)	
Respondents.)	
	/	

Emery Slayden, a Nevada prisoner, has filed a Motion for Complete Copy of Records (ECF No. 25) in anticipation of a renewed appeal effort on the basis of actual innocence. He thereafter provided a signed copy of the supporting Declaration of Ted L. Gunderson, private investigator of Gunderson and Associates located in Los Angeles, California, (ECF No. 26), dated October 9, 2011. At that time, it came to the Court's attention that the declarant, Mr. Gunderson, may have deceased. In response to the motion and an order from the Court requesting confirmation of the fact of Mr. Gunderson's death, respondents have provided an opposition to the motion (ECF No. 30) and evidence that Mr. Gunderson died before the date on which he purportedly signed the declaration in question. *See* Exhibit 1 to Opposition.

Petitioner replied to the opposition (ECF No. 31) asserting that he had not intended to perpetrate a fraud on the Court, as the documents and respondents suggest. Instead he informs the Court that he had been receiving assistance from another inmate, a certain Randall Wiideman, who had prepared the motion. That inmate has also died.

1 In light of the false representations made to the Court, signed by petitioner, whether
2 drafted by him or not, the motion for a complete copy of the record (ECF No. 25) is **DENIED**.

3 **IT IS SO ORDERED.**

4 Dated: May 18, 2012

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7 UNITED STATES DISTRICT JUDGE
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